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MEMO ENDORSED

August 21, 2020

Hon. Lewis A. Kaplan
Senior U.S. Senior District Judge
Southern District of New York

Re: USA v Sung Soon Kim
Docket No.: 16 cr 405 (LAK)

Dear Judge Kaplan:

The above named defendant is scheduled to be sentenced on September 16, 2020. Ms. Kim is seeking to waive her personal appearance due to the Covid 19 pandemic and is seeking to appear virtually at the hearing.

A Korean interpreter will be required.

Very truly yours,

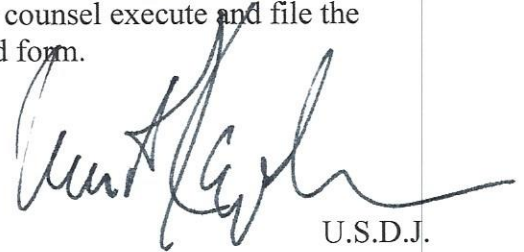

Daniel J. Gotlin

By Howard S. Jaffe

HSJ/ms

Cc: AUSA Michael Neff via ECF

Granted on condition that the defendant
and her counsel execute and file the
attached form.


U.S.D.J.

8/24/2020

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
UNITED STATES OF AMERICA,

-against-

16-CR-0405 (LAK)

SUNG SOON KIM,

Defendant.
----- X

**WAIVER OF RIGHT TO PHYSICAL
PRESENCE AT SENTENCING**

(To Be Completed By Defendant)

I am aware that I have been convicted in this case of a federal crime or crimes and am awaiting sentencing. I have consulted with my attorney about sentencing.

I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York for sentencing, to speak to the judge before sentence is imposed, and to have my attorney beside me as I do and to speak on my behalf. I am aware also that the public health emergency created by the COVID-19 pandemic has interfered with travel and restricted access to the federal courthouse.

I have discussed these issues with my attorney. By signing this document, I wish to advise the court that I willingly give up my right to appear in person before the judge for sentencing and I consent also to being sentenced by video or, if video is not reasonably available, telephone conference.. By signing this document, I willingly give up also any right I might have to have my attorney next to me during the sentencing proceeding so long as the following conditions are met. I want to have the opportunity to speak to the judge on my own behalf prior to the imposition of sentence. I want my attorney to be able to participate in the proceeding and to be able to speak on my behalf during the proceeding. I also want the ability to speak privately with my attorney at any time during the proceeding if I wish to do so.

Dated: _____

Signature of Defendant

(To Be Completed By Defense Attorney)

I hereby affirm that I am aware of my obligation to discuss with my client the charges against my client, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver and consent form. I affirm that my client knowingly and voluntarily consents to the proceedings being held with my client and me both participating remotely.

Dated: _____

Name of Attorney (Print)

Signature of Attorney

(To Be Completed By Defense Attorney If Defendant Uses Interpreter)

I used the services of an interpreter to discuss these issues with the defendant. The interpreter also translated this document, in its entirety, to the defendant before the defendant signed it. The interpreter's name is: _____.

Dated: _____

Name of Attorney (Print)

Signature of Attorney

ACCEPTED:

Lewis A. Kaplan
United States District Judge